

REMARKS

The status of the claims is as follows:

Original:	None
Currently amended:	1, 9 and 14
Previously presented:	6, 10-12 and 19
Canceled:	2-5, 7, 8, 13 and 15-18
Withdrawn-currently amended:	14
New:	None

Claims 1, 6, 9-12, 14 and 19 are pending, wherein claim 14 has been withdrawn. Reconsideration is requested.

The definition of R⁸ in claim 1 has been amended to add a colon after "is".

The definition of HetC in claim 1 has been amended to recite a list of heterocyclic rings. Support for this amendment can be found on page 20, lines 3-12 of the specification.

A comma has been inserted after "Formula IIa" in claim 9.

The definition of HetE in claim 9 has been amended to recite a list of specific saturated heterocyclic rings. Support for the amendment can be found on page 20, lines 3-9 of the specification.

The definition of HetF in claim 9 has been amended to recite a list of specific heteroaromatic rings. Support for the amendment can be found on page 20, lines 12-16 of the specification.

The references to prevention have been removed from claim 14.

None of the amendments introduces new matter.

This amendment is being made without prejudice. Applicants reserve the right to pursue any or all of the subject matter recited in the canceled claims and any or all subject matter removed from the pending claims in one or more continuing applications.

Allowable Subject Matter

The allowance of claim 11 is acknowledged.

Claim Objection

Claim 10 has been objected to as being dependent upon a rejected base claim. The invitation to rewrite claim 10 in independent form is declined, because it is believed the base claim and intervening claim as amended herein are in condition for allowance.

First Rejection under 35 U.S.C. § 112

Claims 1, 6, 9, 12 and 19 have been rejected under 35 U.S.C. § 112, first paragraph, as not being in compliance with the written description requirement.

The Examiner has asserted that the definition of HetC in R⁹ in claim 1 is not fully supported by the specification and has invited Applicants to provide a more specific and narrower definition of HetC. Without conceding the correctness of the Examiner's assertion but rather in an effort to advance prosecution, the definition of HetC has been narrowed to a list of heterocyclic rings. This list is disclosed in the application as filed on page 20, lines 3-12.

The Examiner has also asserted that the definitions of HetE and HetF in claim 9 are not fully supported by the specification and has invited Applicants to provide more specific and narrower definitions of HetE and HetF. Without conceding the correctness of the Examiner's assertion but rather in an effort to advance prosecution, the definitions of HetE and HetF have been narrowed to lists of specific heterocyclic rings and heteroaromatic rings. The lists are disclosed in the application as filed on page 20, lines 3-9 (for HetE) and page 20, lines 12-16 (for HetF).

HetC, HetE and HetF are no longer defined as genera, but are instead set forth as circumscribed lists of species, all of which are present in *ipsis verbis* in the application as filed. There can be no question that Applicants contemplated and were in possession of the instantly claimed invention. Withdrawal of the written description rejection is accordingly requested.

Second Rejection under 35 U.S.C. § 112

Claims 1, 6, 9, 12 and 19 have been rejected under 35 U.S.C. § 112, first paragraph, as not being enabled. The Examiner has asserted that the definitions of HetC in claim 1 and HetE and HetF in claim 9 are overly broad. Without conceding the correctness of the Examiner's assertion but instead to advance prosecution, HetC, HetE and HetF have been more specifically and narrowly defined, as set forth in the above remarks on the written description rejection. In view of these amendments and for the reasons given on pages 16 and 17 in the amendment filed February 13, 2009, Applicants' position is that the instantly claimed invention is fully enabled. Withdrawal of the enablement rejection is accordingly requested.

Rejoinder

Claim 14 is directed to a method for treating infection by HIV or for treating or delaying the onset of AIDS by the administration of a compound of claim 1. For the reasons set forth in the communications filed on June 18, 2008 and February 13, 2009, unity of invention exists between the use of a product (claim 14) and the product (claims 1, 6, 9-12 and 19). Accordingly, rejoinder and allowance of claim 14 is requested.

The application is believed to be in condition for allowance and passage to issue is requested. The Examiner is invited to telephone the undersigned should any minor matters need to be resolved before a Notice of Allowance can be mailed.

Respectfully submitted,

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